

WASHINGTON – Today, Representatives Pete Stark and Sherrod Brown issued a formal request asking the General Accounting Office to initiate an audit of the Bush Administration's wasteful use of taxpayer dollars on continued, unsuccessful legal challenges surrounding their proposed Medicare prescription drug discount card program.

"The Bush Administration is wasting time and money on a frivolous lawsuit that won't do a thing to help seniors afford prescription drugs," Stark said. "They're on the wrong side of the law, but they keep running up legal bills at the taxpayers' expense."

The Bush Administration has now lost two attempts in federal court to pursue their Medicare prescription drug discount card program because they have been found to lack statutory authority to proceed. They are currently considering a third legal challenge even though the judge in the case referred to the second trial as "déjà vu all over again."

"While having been told they lack statutory authority to develop the program, it appears that CMS has been spending money and putting out contracts to do just that," Rep. Brown added. "Last time I looked at the deficit projections, it didn't appear to me that we had money to waste like this. That's why we've asked the GAO to provide us with an accounting of how much taxpayer money has already gone down the drain in this fruitless endeavor."

January 31, 2003

The Honorable David M. Walker  
Comptroller  
The General Accounting Office  
441 G Street, NW  
Washington, DC 20548

Dear General Walker:

We are writing to request a GAO analysis of federal expenditures relating to the President's Medicare prescription drug discount card proposal.

This card has now been in the works for two years. The federal courts have twice found that the Administration lacks statutory authority to proceed with the program, and it is our understanding that CMS is seriously considering a third legal challenge to that decision.

First, we would like to know how much money has been spent in pursuit of the court challenges.

Second, we want an accounting of how much money has been dedicated to the development of this card program, including disclosure of any government contracts relating to development or implementation of the program.

At a time when our federal dollars are being spread very thin, the Administration appears willing to spare no expense to continue working on this program which the court has made clear will not be allowed to go forward.

This is not a prudent use of taxpayer dollars. As the Administration is currently considering continued legal challenges, it is important that GAO provide this analysis as quickly as possible.

As always, thank you for your attention to our requests. If you have any questions, please contact Debbie Curtis with Rep. Stark at (202)225-5065.

Sincerely,

Pete Stark  
Ranking Democrat  
Committee on Ways and Means  
Subcommittee on Health

Sherrod Brown  
Ranking Democrat  
Committee on Energy and Commerce  
Subcommittee on Health